

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.	09/759,089	Confirmation No.	1077
Inventors:	Thomas P. DONAHUE	Title:	EMPLOYEE INTERNET MANAGEMENT DEVICE
Filed:	January 11, 2001		
TC/A.U.	2155		
Examiner:	David R. LAZARO		
Docket No.	VERC-001		
Customer No.	25235		

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

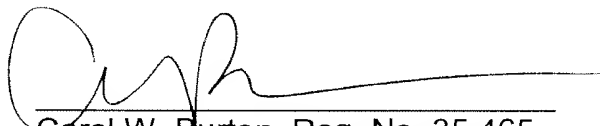
A Notice of Non-Compliant Amendment was mailed May 23, 2007 (copy enclosed), indicating that claims 1, 6, 9 and 34 did not have contain the correct status identifiers in the response filed April 30, 2007.

A. Amendment to the Claims

Enclosed is a Substitute Amendment and Response to Final Office Action Accompanying Request For Continued Examination (RCE) and Petition For Additional 1-Month Extension, in which claims 1, 6, 9 and 34 are listed with the correct identifier, "Currently Amended."

Respectfully submitted,

June 5, 2007



Carol W. Burton, Reg. No. 35,465  
Hogan & Hartson L.L.P.  
1200 17<sup>th</sup> Street, Suite 1500  
Denver, CO 80202  
Telephone: (303) 454-2454  
Facsimile: (303) 899-7333



# UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/759,089	01/11/2001	Thomas P. Donahue	4420-1	1077
25235	7590	05/23/2007	EXAMINER	
HOGAN & HARTSON LLP ONE TABOR CENTER, SUITE 1500 1200 SEVENTEENTH ST DENVER, CO 80202			ART UNIT	PAPER NUMBER

RECEIVED

MAY 29 2007

DATE MAILED: 05/23/2007

HOGAN & HARTSON LLC

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notice of Non-Compliant  
Amendment (37 CFR 1.121)**

Application No.

09/759,089

Examiner

David Lazaro

Applicant(s)

DONAHUE, THOMAS P.

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 30 April 2007 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: See Continuation Sheet.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):  
\_\_\_\_\_

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

David Lazaro - Examiner

Legal Instruments Examiner (LIE), if applicable

571-272-3986

Telephone No.

Continuation of 4(e) Other: The amendment to the claims filed with the RCE was filed as if the amendment after final (03/29/2007) was entered. However, the amendment to the claims filed after final (03/29/2007) was not entered. Therefore the amendment to the claims filed with the RCE is incorrect as claims 1, 6, 9 and 34 were not previously presented (ie. not officially entered) in such form, and the amendment does not include the proper markups to indicate changes made from the previous version of the claims (10/04/2006 claim amendment).